IN THE DRAWINGS

The attached sheet of drawings includes new Fig. 2.

Attachment: New Drawing Sheet

REMARKS

Claims 1-7 are pending in this application. Claim 1 has been amended to clarify the subject matter that the Applicant considers to be the invention. Applicants have further provided remarks that explain some of the differences between the reference cited by the Examiner and the present invention. The drawings have been amended to overcome the Examiner's objections. As no new matter has been added, Applicants respectfully request entry of the amendments at this time.

OBJECTIONS TO THE SPECIFICATION

At pages 2-3 of the Office Action, the Examiner stated that the specification should include the sections set forth in 37 CFR 1.77(b). Applicants submit that the remaining portions of the written description are in compliance with 35 U.S.C. §112. Further, Applicants submit that the provisions of 37 CFR 1.77(b) are merely suggested, and are not required. However, in the interest of expediting prosecution of the Application, Applicants have submitted another substitute specification incorporating these provisions. No new matter has been added. As such, Applicants submit that the Examiner's objections to the specification have been overcome.

OBJECTIONS TO THE DRAWINGS

At page 4 of the Office Action, the Examiner stated that Applicants are required to furnish formal drawings. Accordingly, Applicants have submitted a formal drawing for Figure 2 and have included references to Figure 2 in the substitute specification. Support for figure 2 is found throughout the specification; no new matter has been added. Therefore, Applicants submit that the Examiner's objections to the specification have been overcome.

THE REJECTION UNDER 35 U.S.C. §102(b)

At pages 4-5 of the Office Action, the Examiner rejected claims 1-7 under 35 U.S.C. §102(b) based on U.S. Patent No. 5,761,654 to Tow. ("Tow"). Applicants submit that Tow does not teach the present invention for the reasons that follow.

Tow discloses a method of constructing an aid to tuning of database statements using a data structure to compactly represent the information needed about a database statement to determine the optimal series of operations needed to execute the statement. See Abstract. The information includes the relationships between table joined in the statement. *Id.*

In particular, Tow discloses rewriting a query including a selective filter that would be expected to return only a very small percentage of the rows. The "SQL query is restructured so that the table-B filter will be executed first by the search program. That means that a very high percentage of rows will be eliminated from the join statement at the outset" *See* Tow at col. 9, lines 32-36. This statement of Tow makes it clear that the join statement is not eliminated. Rather, it is clear that the restructured SQL query still includes the join statement, but that rows have been eliminated from the join statement.
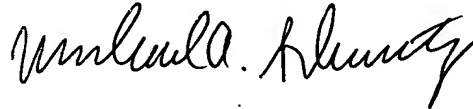
By contrast, the present invention, according to claim 1, requires producing a revised SQL statement that only refers to the detail table using the identifier to the at least one row of the detail table and that does not include the join. Thus, the present invention requires not just the elimination of rows from the join statement, but the production of an SQL statement that does not include the join at all. Further, the present invention, according to claim 1, requires processing the revised SQL statement that does not refer to the master table instead of the SQL statement that includes the join. Tow does not disclose or suggest this. For example, Tow discloses "(2) selecting one of the tables specified in the join statement for filtering as the fist table data fetch to be executed" (the processing discussed in the previous paragraph, then, "(3) "driving" through the query-diagram data structure. automatically or semiautomatically. beginning with the selected table and thereafter traversing through the data structure in an organized manner, to determine an appropriate order in which <u>the remainder of the join statement should be executed</u>." (Emphasis added) *See* Tow at col. 6, lines 16-24. Thus, Tow clearly discloses executing the join statement, which is contrary to the requirements of claim 1.

Therefore, the Applicant submits that claim 1, and claims 2-7, which depend therefrom, are not anticipated by Tow, because Tow does not disclose all required elements of claim 1. Reconsideration and allowance of the pending claims is respectfully requested.

CONCLUSION

All claims are believed to be in condition for allowance. If the Examiner believes that the present amendments and remarks still do not resolve all of the issues regarding patentability of the pending claims, Applicants invite the Examiner to contact the undersigned attorney to discuss any remaining issues. No fees are believed to be due at this time. Should any fee be required, however, please charge such fee to BINGHAM McCUTCHEN LLP Deposit Account No. 195127, Order No. 19111.0127.

Respectfully submitted,
BINGHAM MCCUTCHEN LLP

Dated: February 22, 2007 By: _____

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